

**MINOR VARIANCE**

File Number ANPL2014125  
Related File Number SPL2014126  
Pre-consultation Meeting On June 12, 2014  
Application Submitted On June 12, 2014  
Complete Application On \_\_\_\_\_

Application Fee \$678.00  
Conservation Authority Fee N/A (combined w SPA app'n)  
OSSD Form Provided N/A  
Sign Issued June 20, 2014 *jjf.*

This development application must be typed or printed in ink and completed in full. An incomplete or improperly prepared application may not be accepted and could result in processing delays.

**Property assessment roll number: 3310-401005380000000**

The undersigned hereby applies to the Committee of Adjustment under Section 45 of the *Planning Act, R.S.O. 1990, c. P. 13*, for relief as described in this application from by-law no. **Z-2014**

**A. APPLICANT INFORMATION**

Name of Applicant <sup>1</sup>	<u>Royal Clover Shopping Centres Limited/ C/O Emily Roukhkian</u>	Phone #	<u>(905) 760-6200 x.7650</u>
Address	<u>700 Applewood Cres., Suite 100</u>	Fax #	<u>(905) 760-6220</u>
Town / Postal Code	<u>L4K 5X3</u>	E-mail	<u>eroukhkian@smartcentres.com</u>

<sup>1</sup> If the applicant is a numbered company provide the name of a principal of the company.

Name of Agent	<u>N/A</u>	Phone #	<u>N/A</u>
Address	<u>N/A</u>	Fax #	<u>N/A</u>
Town / Postal Code	<u>N/A</u>	E-mail	<u>N/A</u>

Name of Owner <sup>2</sup>	<u>Royal Clover Shopping Centres Limited/ C/O Emily Roukhkian</u>	Phone #	<u>(905) 760-6200 x.7650</u>
Address	<u>700 Applewood Cres., Suite 100</u>	Fax #	<u>(905) 760-6220</u>
Town / Postal Code	<u>L4K 5X3</u>	E-mail	<u>eroukhkian@smartcentres.com</u>

<sup>2</sup> It is the responsibility of the owner or applicant to notify the Planner of any changes in ownership within 30 days of such a change.

Please specify to whom all communications should be sent <sup>3</sup>: ☒ Applicant ☐ Agent ☐ Owner

<sup>3</sup> Unless otherwise directed, all correspondence, notices, etc., in respect of this development application will be forwarded to the Applicant noted above, except where an Agent is employed, then such will be forwarded to the Applicant and Agent.

Names and addresses of any holders of any mortgagees, charges or other encumbrances on the subject lands:  
Walmart B.C Holdings 2 ULC

**B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS**

Geographic Township	Formerly Woodhouse	Urban Area or Hamlet	Simcoe
Concession Number	Concession 6	Lot Number(s)	Part Lot 3
Registered Plan Number	37R205	Lot(s) or Block Number(s)	
Reference Plan Number	Plan 37R-8952	Part Number(s)	Part 5 of Lot 3, Concession 6
Frontage (metres/feet)	Approx. 216m/708 ft	Depth (metres/feet)	Approx. 260 m/853 ft
Width (metres/feet)	Approx 260m/853 ft	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	Approx 16 Acres (6.2 Hectares)
Municipal Civic Address	160 Queensway East, Simcoe, Ontario		

Are there any easements or restrictive covenants affecting the subject lands?

☒ Yes ☐ No

If yes, describe the easement or covenant and its effect:

Union Gas – Instrument No. NR304561, NR304562, NR305733; Norfolk County – Instrument No. NK33583; 1583039 Ontario Inc. – Instrument No. NK40308.

**C. PURPOSE OF DEVELOPMENT APPLICATION**

Please explain what you propose to do on the subject lands/premises which makes this development application necessary (if additional space is required, please attach a separate sheet):

We are proposing an additional 929 square metres (10,000 square feet) of addition commercial retail space to an existing unenclosed shopping centre. The building is proposed to include a drive through facility, loading dock/garbage enclosure, and five additional parking spaces.

Please explain the nature and extent of the amendment requested (assistance is available):

This application is being submitted to request a minor variance from zoning by-law Z-2014 S.14(14.677)(a) which provision requires a minimum front yard from Ireland Road of 6 metres and whereas we are requesting that a minimum front yard of 3.00 metres be permitted in order to accommodate the new commercial retail space.

Please explain why it is not possible to comply with the provision of the zoning by-law:

The 6m minimum front yard requirement stated in the site specific zoning requirement was drafted and adopted during a previous re-zoning application which in retrospect did not contemplate a road widening dedication to the County of Norfolk of 2.84m. Due to the nature and width of the road dedication to the County the required building setback from Ireland Road does not conform to the site specific zoning by-law requirement of 6m. As such we request that a minor variance be granted to allow for a minimum front yard of 3.00m.

---

## D. PROPERTY INFORMATION

Present official plan designation(s):

Shopping Centre Commercial

Present zoning:

CSC – Shopping Centre Commercial

Is there a site specific zone on the subject lands?

Site Specific Zone 14.677 applies to the subject lands.

Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, height, etc. on your attached sketch which must be included with your application:

Please see attached site plan and Survey.

If known, the date existing buildings or structures were constructed on the subject lands:

Building B – 2013, Building C – 2013, Building A - 2007

If an addition to an existing building is being proposed, please explain what will it be used for (e.g. bedroom, kitchen, bathroom, etc.). If new fixtures are proposed, please describe.

N/A

Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, height, etc. on your attached sketch which must be included with your application:

Please See Attached Site Plan.

**MINOR VARIANCE**

If known, the date the proposed buildings or structures will be constructed on the subject lands:

Building D is estimated to be constructed in 2014/2015

Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant?

☐ Yes ☒ No

If yes, identify and provide details of the building:

The date the subject lands was acquired by the current owner:

January 31, 2013

Present use of the subject lands:

Commercial Shopping Centre

If known, the length of time the existing uses have continued on the subject lands:

N/A

Existing use of abutting properties:

Commercial

**E. PREVIOUS USE OF THE PROPERTY**

Has there been an industrial or commercial use on the subject lands or adjacent lands?

☒ Yes ☐ No ☐ Unknown

If yes, specify the uses:

Property is being used as a commercial shopping centre.

Has the grading of the subject lands been changed through excavation or the addition of earth or other material?

☒ Yes ☐ No ☐ Unknown

Has a gas station been located on the subject lands or adjacent lands at any time?

☐ Yes ☒ No ☐ Unknown

Has there been petroleum or other fuel stored on the subject lands or adjacent lands at any time?

☐ Yes ☒ No ☐ Unknown

Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites?

☐ Yes ☒ No ☐ Unknown

**MINOR VARIANCE**

Provide the information you used to determine the answers to the above questions:

Grading of the subject lands was completed by existing department store prior to development. Grading was approved by site plan and permit applications.

If you answered yes to any of the above questions, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed.

Is the previous use inventory attached?

☐ Yes ☒ No

**F. STATUS OF OTHER PLANNING DEVELOPMENT APPLICATIONS**

Has the subject land or land within 120 metres of it been or is now the subject of an application under the *Planning Act*, R.S.O. 1990, c. P. 13 for:

1. a minor variance or a consent;
2. an amendment to an official plan, a zoning by-law or a Minister's zoning order; or
3. approval of a plan of subdivision or a site plan?

☒ Yes ☐ No ☐ Unknown

If yes, indicate the following information about **each application**:

File number: SPPL 2014/26

Land it affects:

Part Lot 3, Concession 6 Pts 1-7, 37R-8952 (Municipally known as 160 Queensway East, Simcoe, Ontario)

Purpose:

Site Plan Application

Status/decision:

On-going

Effect on the requested amendment:

Minor variance required for site plan application minimum front yard compliance.

If additional space is required, please attach a separate sheet.

Is the above information for other planning developments applications attached?

☐ Yes ☒ No

**G. PROVINCIAL POLICY**

Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act*, R.S.O. 1990, c. P. 13?

☒ Yes ☐ No

## MINOR VARIANCE

If no, please explain:

---

Are the subject lands within an area of land designated under any provincial plan or plans?

☐ Yes ☒ No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans:

---

Are any of the following uses or features on the subject lands or within 500 metres (1,640 feet) of the subject lands, unless otherwise specified? Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Lands	Within 500 Metres (1,640 feet) of Subject Lands (Indicate Distance)
Livestock facility or stockyard (if yes, complete Form 3 – available upon request)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Wooded area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No +/- 35m distance
Municipal landfill	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Sewage treatment plant or waste stabilization plant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No +/- 35m distance
Floodplain	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No +/- 35m distance
Rehabilitated mine site	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Non-operating mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Industrial or commercial use (specify the use(s))	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Property to West
Active railway line	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Seasonal wetness of lands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No +/- 35m distance
Erosion	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Abandoned gas wells	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance

## H. SERVICING AND ACCESS

Indicate what services are available or proposed:

### Water Supply

- ☒ Municipal piped water  
☐ Communal wells  
☐ Individual wells  
☐ Other (describe below)

### Sewage Treatment

- ☒ Municipal sewers  
☐ Communal system  
☐ Septic tank and tile bed  
☐ Other (describe below)

### Storm Drainage

- ☒ Storm sewers  
☐ Open ditches  
☒ Other (describe below)

If other, describe:

Existing on-site is a storm water management facility.

---

Have you consulted with Public Works & Environmental Services concerning stormwater management?

☐ Yes ☒ No

**MINOR VARIANCE**

Has the existing drainage on the subject lands been altered?

☐ Yes ☒ No

Does a legal and adequate outlet for storm drainage exist?

☒ Yes ☐ No ☐ Unknown

Existing or proposed access to subject lands:

☐ Unopened road ☒ Provincial highway  
☒ Municipal road ☐ Other (describe below)

If other, describe:

Name of road/street:

Queensway East and Ireland Road

**I. OTHER INFORMATION**

Is there a time limit that affects the processing of this development application?

☒ Yes ☐ No

If yes, describe:

Planning Act Time Frames

Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

N/A



## ZONING DEFICIENCY

Simcoe: 8 Schellburg Ave.  
Simcoe, ON  
N3Y 2J4  
519-426-4377  
Langton: 22 Albert St.  
Langton, ON  
N0E 1G0  
519-875-4485

### PROPERTY INFORMATION

STREET #

ZONING  
G


### ZONING DEFICIENCY

DEVELOPMENT STANDARD	REQUIRED (m/ft)		PROPOSED (m/ft)		DEFICIENCY (m/ft)	
LOT AREA	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
LOT FRONTAGE	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
FRONT YARD SETBACK	6m	19.68 ft	3m	9.84 ft	3m	9.84 ft
EXTERIOR SIDE YARD	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
INTERIOR SIDE YARD (RIGHT)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
INTERIOR SIDE YARD (LEFT)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
REAR YARD SETBACK	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
DWELLING UNIT AREA	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
% LOT COVERAGE	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
BUILDING HEIGHT	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
ACCESSORY BUILDING	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
ACCESSORY BUILDING COMMENTS	<input type="text"/>					
PARKING SPACES	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

ADDITIONAL COMMENTS:

The proposed information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to the associated planning application and does not relieve the owner/applicant from obtaining all other permits/approvals required. The owner/applicant hereby accepts full responsibility for the accuracy of the proposed information provided on this form.

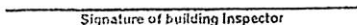
I have read and understand the above.

  
Signature of owner or authorized agent  
June 29, 2014  
Date

PREPARED BY: Devon Tisdale

AS PER:

Fritz R. Enzlin CBCO, CRBO  
Chief Building Official  
Manager, Building & Bylaw Division  
Norfolk County

  
Signature of building inspector  
Date